

January 27, 2004

Mr. Kamau Philbert Office of General Counsel 99 E Street, NW Washington, DC 20463

**RE: MUR 5103** 

Dear Mr. Philbert:

OFFICE OF GENERAL COUNSEL 2004 FEB -5 A II: 55

EDERAL ELECTION
COMMISSION
FICE OF GENERAL
COUNSEL

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We presume that you are still reviewing the facts in the complaint that our campaign filed with the FEC on October 11, 2000. Since that time we have filed, and you have acknowledged, several supplements to the complaint.

Our complaint, as you recall, revolves around fraudulent and malicious faxes that were sent by a mass broadcast fax network during our campaign from a source that attempted to remain unidentified. Copies of those faxes accompanied our initial filings.

Many of those faxes contained a fax header that said "TAB Enterprises" or "TAB". I have enclosed examples of several of those faxes again to refresh the facts. We spent some time researching companies named "TAB Enterprises" or companies that operated with those initials.

Recently, a company with just such an acronym has registered in Arizona as TAB services. Not surprisingly, this company's Principal and only employee is Todd A. Bradford, who was a full time paid consultant to the Sal DiCiccio for Congress Campaign. (A copy of his recent Corporation Commission registration is enclosed). As you may recall from a previous supplement, Mr. DiCiccio's campaign also had a connection to Acacia National Mortgage, an Arizona company that found itself facing complaints of sending unsolicited mass faxes not long after our Congressional campaign in 2000. The connection of these faxes to Mr. Bradford is so obvious, it is surprising that we did not put the pieces together before.

Although our campaign is long since over, Mr. DiCiccio and Mr. Bradford-continue to attempt to work in the public arena. In fact, Mr. DiCiccio unsuccessfully ran again for office after his unsuccessful campaign for Congress. It is for this reason that we believe that it is still important to resolve this complaint in order to prevent this behavior from happening again in future races.

5608 East Lewis Avenue • Scottsdale, AZ 85257 • www.bittersmith.com

Thank you for your ongoing assistance in this matter. Enclosed are copies of our previous correspondence for your perusal.

Sincerely

Susan Bitter Smith

Friends of Susan Bitter Smith

**Enclosures** 

CC: Rick Romley, Maricopa County Attorney
Jill Kennedy, Maricopa County Attorney's Office
Jan Brewer, Arizona Secretary of State

STATE OF ARIZONA )

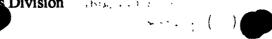
COUNTY OF MARICOPA )

SUBSCRIBED AND SWORN TO BEFORE ME THIS 29th DAY OF JANUARY, 2004.

Notary Public

OFFICIAL SEAL
KAREN L. CROTTY
Notary Public - State of Artzone
MARICOPA COUNTY
My Comm. Expires April 8, 2005

01/03/2004



# Arizona Corporation Commission State of Arizona Public Access System

12:53 PM

Corporate Inquiry				
File Number: L-1107275-0	LATEST DATE TO DISSOLVE 12/31/2053			
Corp. Name: TAB SERVICES, L.L.C.				

### **Domestic Address**

1402 E OSBORN RD #18
PHOENIX, AZ 85014

# **Statutory Agent Information**

Agent Name: GELM AND ASSOCIATES LIMITED	
Agent Mailing Address:	
% WILLIAM J GELM	
ONE W CAMPBELL AVE #2195	
PHOENIX, AZ 85013	
Agent Physical Address:	
, AZ	
Agent Status: APPOINTED 12/10/2003	
Agent Last Updated: 12/16/2003	

### **Officer and Director Information**

Name:	TODD A BRADFORD
Title:	MEMBER
Address:	1402 E OSBORN RD #18
	PHOENIX, AZ 85014
<b>Date Assigned:</b> 12/10/2003	Last Updated: 12/16/2003

### **Additional Corporate Information**

	Corporation Type: DOMESTIC L.L.C.
Incorporation Date: 12/10/2003	Corporate Life Period:
Domicile: ARIZONA	County: MARICOPA

Approval Date: 12/10/2003	Original Publish Date:
Dissolution/Withdrawl: LATEST DATE TO DISSOLVE	Dissolution/Withdrawl Date: 12/31/2053

# **Annual Reports**

No Annual Reports on File					
No Annual Reports on File					

### **Scanned Documents**

(Click on gray button to view document)

II Document Number	Description	Date Received
II Document Number	Description	But Received

- Return to STARPAS Main Menu
- Return to A.C.C. Corporations Division Main Page
- Return to Arizona Corporation Commission Home Page

From TAB Enterprises 815-364-0842

Meecham

R

**Symington** 

Do we need Susan Bitter Smith too?

# STOP HER!

Stop Bitter Smith before it too late!

Please fax your number to \$15-364-0842 to be removed from our list.

PHONE NO. : 480 994 0782

Aug. 12 2000 09:43AM F

(602)-759-2578 P.02

ug - 12-00 07:24A Dent e Smith 10 420 7592573 Sent by the Award VI noting Units pointe Bithesis

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# Meecham

R.

Symington

Do we need Susan Bitter Smith too?

# STOP HER!

Stop Bitter Smith before it too late!

Mary Jack

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# Arizona already had Meecham Symington

Do we need Susan Bitter Smith too?

# **STOP HER!**

Stop Bitter Smith before it too late!



October 15, 2001

Mr. Kamau Philbert Office of General Counsel Federal Election Commission 999 E Street, N.W. Washington, DC 20463

Dear Mr. Philbert:

In reference to MUR 5103, enclosed is an article which appeared in today's online edition of The Business Journal of Phoenix. This article refers to Acacia National Mortgage and its spamming practices.

In our previous correspondence with you, we were able to associate Acacia National Mortgage with the malicious spamming practices against Susan Bitter Smith in her campaign for Congress. This includes fraudulent phone messages and also defamatory faxes sent out to voters in the Phoenix area.

Again, thank you for your time and effort in reviewing this case. If you have any questions, please call me at (602) 957-3434.

Sincerely,

Jasen C. Hutchinson

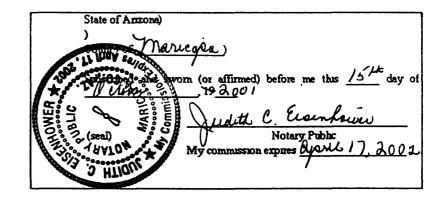
Friends of Susan Bitter Smith

5806 E. Lewis Ave.

Scottsdale, AZ 85257

(602) 957-3434

**Enclosure** 





April 17, 2001

Mr. Kamau Philbert Office of General Counsel 99 E Street, NW Washington, D. C. 20463

Dear Mr. Philbert:

Relative to previous correspondence the Bitter Smith campaign and I have had with your office, I wanted to make you aware of some articles that recently appeared in two of the largest newspapers in Arizona. These articles are significant to MUR #5103 in that they reference Acacia National Mortgage, one of the parties we previously referenced in the pending case before you.

As you will note from the articles, Acacia National Mortgage clearly uses and has the capability to send unsolicited mass communications. These articles point out that there are ethical and legal questions regarding Acacia National Mortgage's spamming methods. This mortgage company most definitely has the resources to reach thousands of people in the Phoenix area as well as the ability to target certain areas

In our initial correspondence with you we not only addressed the fraudulent and malicious faxes sent out against our campaign, but also deceptive voice mail messages placed the day before the election. The messages left on voice mails and answering machines throughout the District had the recording of a person claiming to be a representative of the Bitter Smith campaign and made defamatory comments against another candidate in the Arizona Congressional District One race. Acacia National Mortgage clearly has the technology to send out mass communications through voice mail and faxes. This, coupled with the fact that the President of Acacia National Mortgage, George Youhanaie, had a vested financial interest in one of the candidates in the Congressional District One race (Sal DiCiccio), raises serious concerns about the possible illegal involvement of Acacia National Mortgage and its representatives in the District One race in Arizona.

Again, your assistance in this matter is greatly appreciated. Enclosed are copies of our previous correspondence for your perusal.

State of Amzona)

County of Maricasa)

sworn (or affirmed) before me this 17 th day of

Sincerely,

Jasen Hutchinson

Friends of Susan Bitter Smith

**Enclosures** 

CC. Rick Romley, Maricopa County Attorney

Jill Kennedy, Maricopa County Attorney's Office Strong Strong

Janet Napolitano, Attorney General, State of Arizona

Paul Charlton, United States Attorney